



The ADVISOR

TEACHERS, EMPLOYEES, and JUDICIAL



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SERVING OVER 329,000 MEMBERS

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Alabama Supreme Court Discouraging Complaints Against Judges

By Phillip Rawls, *The Associated Press*

The Republican majority on the Alabama Supreme Court has rejected proposals to make it easier for the public to file complaints accusing judges of unethical conduct.

The court's eight Republicans decided to maintain rules that legal groups say are out of step with the rest of the country and designed to stifle complaints. The rules include giving the judge the name of the person who filed a complaint, what it entails and any evidence gathered during the investigation of the complaint.

The rules do allow for the information in the complaint to be withheld from a judge if there are indications the judge might destroy evidence or pose a threat to someone.

The Supreme Court's lone Democrat, Chief Justice Sue Bell Cobb, urged the court to replace the rules with those recommended by a committee of the American Bar Association.

Cobb wrote that the current rules impose requirements that exist in no other state and "engender a fear of retribution" among anyone who complains about a judge.

"Why would the highest court in Alabama make it more difficult to discipline an unethical judge?" Cobb asked in her dissent.

"Alabama Supreme Court" continued on page 5

PEEHIP & Politics Program Saved

By David G. Bronner

In 1983, Dr. Paul Hubbert of the Alabama Education Association (AEA) and Dr. William C. Walsh, RSA Deputy Director, came up with an idea to create a statewide insurance program that would provide better benefits at a lower cost to tax payers. The result was the Public Education Employees' Health Insurance Plan (PEEHIP). At that time, teachers and support personnel were being "ripped off" by the health insurance industry.

Twenty-seven years later, Dr. Hubbert, the PEEHIP Board, RSA Deputy Director Marc Reynolds, and the PEEHIP staff were able to save PEEHIP after three out of the last four years of level funding by the state. The changes made to keep the program sustainable for the future are included in the June *PEEHIP Advisor*. Everyone involved deserves your thanks.

There will be those who will complain because the \$255 million funding deficit burden was placed on PEEHIP members and the Retired Education Employees' Health Care Trust. But keep in mind that a member contribution of \$2 per month was held constant for an unbelievable 27 years!

All across America, retirement systems are struggling with rising health care costs. Many are shifting more of the burden to retirees. In California, where each school district is responsible for providing health care, more than half of the school districts do not provide retiree health care. Many are using their retiree check to pay for premiums. Yet another reason to be thankful for PEEHIP.

The RSA and AEA both work diligently to protect the interest of teachers and support staff as does the RSA and state employees' associations for state and local employees. Make no mistake, every politician who screams "no new taxes" is personally telling you that your benefits will decline and your costs will rise!

I am just "Dumb David" according to the Linden newspaper, but how do you compete against 49 other states, much less the world, with the lowest taxes in America? When you support and elect that "no-tax talking head," know that **your benefits** are going to decrease and **your costs** will increase.

Get serious about who you support and elect to public office. Ignore those TV ads that have no substance and play to emotions like the "We speak English" ad. They have nothing to do with what Alabama needs, which is to continue the positive progress we have made over the last 15 years. ■

FORBES Projection

3 of the Top 10

PROJECTED JOB GROWTH Annual job growth projections over the next three years.	1	Cedar Rapids, IA	3.9%
	2	Huntsville, AL	3.8
	3	McAllen, TX	3.5
	4	Brownsville, TX	3.4
	5	Mobile, AL	3.3
	6	Columbus, GA	3.1
	7	Albuquerque, NM	3.0
	8	Montgomery, AL	2.8
	9	San Antonio, TX	2.7
	10	Des Moines, IA	2.7

Sources: Moody's Economy.com; TheLadders.com; RealtyTrac.

China & Science

Source: *ISD Research*

While most people recognize China's long-rising dominance in low-cost manufacturing, many still think of China as a scientific backwater, lagging far behind western nations. However, this has changed, and China will soon dominate science virtually across the board with ominous implications.

Since 1978, when its economic reform began, China has risen from a poor developing country to the world's second-largest economy, while emerging as a political superpower. Little noticed has been China's meteoric rise to become the second-largest producer of scientific knowledge, surpassed only by the U.S. At its current trajectory, China will overtake the U.S. before 2020.

China's initial scientific research efforts began on March 3, 1986, when four of the nation's top weapons scientists sent a letter to Deng Xiaoping warning that decades of focus on militarization had crippled China's civilian scientific establishment. . . . Deng agreed. . . . The project was codenamed the 863 Program. . . . In the following decades, China invested billions of dollars into labs, universities and businesses.

...During this period, China's universities experienced explosive growth, with its student population reaching 25 million, up from only 5 million nine years ago, wrote Jonathan Adams recently in *New Scientist* magazine. China presently has 1,700 higher learning institutions, about 100 of which comprise the "Project 211" group that train 80% of the nation's PhD students, two-thirds of its graduate students, and one-

third of its undergraduates. Project 211 institutions also include 96% of China's key laboratories and devour 70% of total scientific research funding.

While R&D spending in Europe and North America has outpaced economic growth modestly since 1945 . . . China now ranks third, slightly behind the U.S. and Japan. Between 1998 and 2006, China's annual scientific research article output grew from 20,000 to 83,000, more than traditional scientific leaders of Japan, Germany and the UK. In 2009, Chinese scientists authored 120,000 articles, second only to America's 350,000.

Since it began its initial scientific research efforts, China primarily focused on physical sciences and engineering, consistent with a traditional industrial economy. However, in recent years, China has been rapidly shifting from an emphasis on old economy sectors to new cutting-edge technology areas.

China now produces 10% of the world's research studies on engineering, computer sciences, and earth sciences, as well as 20% of the world's output on materials sciences, including leadership in composites, ceramics and polymer science, and strength in crystallography and metallurgical engineering. In total, during a recent five year period, China produced approximately 400,000 research papers in all fields of science, representing roughly 8.5% of the world's papers. In 2009, China became the world leader in the number of chemistry patents published annually.

In 2003, China had essentially no solar industry, but by 2008 was the world's largest manufacturer of solar

power systems, winning customers from foreign companies that had invented the technology. President Hu Jintao noted that China must "seize preemptive opportunities in the new round of the global energy revolution." The quality of China's research is underscored by its growing scientific collaboration with countries well known for quality science. Approximately 9% of research papers originating from Chinese institutions have a U.S. based co-author. Co-authorship is also growing with Japan and Britain, while collaboration has trebled with South Korea and Singapore since 2004, and grown rapidly with Australia.

Perhaps most significant of all is that where China puts its focus it will dominate. No example is better than its alternative-energy efforts. In addition to leapfrogging the West during the last two years to dominate the manufacture of wind turbines and solar panels, China is pushing equally hard to build nuclear reactors and cutting-edge coal power plants. As a result, industrialized western nations may increasingly trade dependence on oil from the Middle East to reliance on alternative-energy equipment made in China.

. . . China's rise to scientific superpower status cannot be denied. In 2009, China issued over 580,000 patents, up 41% from 2008, versus 167,350 by the U.S. It is a question of when, not if, China becomes the world's most prolific producer of scientific knowledge. Will America and Europe soon have to adjust to a new world order? ■

Girls – Slow Down

Some big auto insurers are raising the rates they charge to cover teenage girls, reflecting the crumbling of conventional wisdom that young women are more responsible behind the wheel.

In a survey of teenage drivers, Allstate Insurance Co. found that 48% of girls said they are likely to

drive 10 miles per hour over the speed limit. By comparison, 36% of the boys admitted to speeding. Of the girls, 16% characterized their own driving as aggressive, up from 9% in 2005. And just over half of the girls said they are likely to drive while talking on a phone or texting, compared to 38% of the boys. ■

WANT TO HELP?

A FREE Car Tag

Tired of that worn-out dealer tag on the front of your car? Would you like to help the RSA and our Alabama Tourist Department advertise "Alabama's Robert Trent Jones Golf Trail" on your front bumper? If so, call to request a tag at 334.517.7000, or 877.517.0020, or write:

Tag
P.O. Box 302150
Montgomery, AL 36130-2150

Alabama Supreme Court

continued from page one

The eight Republicans did not explain the majority's reasoning in their order. The order was not publicly announced, but The Associated Press learned of it from court officials.

Under Alabama law, the state Judicial Inquiry Commission receives complaints accusing judges of unethical conduct. The commission acts much like a grand jury. If it believes there has been wrongdoing, it refers the case to the state Court of the Judiciary, which tries the judge. The most serious action the court can take is removing a judge from office.

The court's most famous case in recent years has been the removal of Republican Chief Justice Roy Moore in 2003 for ignoring a federal judge's order to remove a Ten Commandments monument from the lobby of the state judicial building.

The Alabama Supreme Court sets the rules for the Judicial Inquiry Commission.

... The American Judicature Society, a nonprofit group that works to main-

tain the integrity of the courts, said Alabama's rules seemed designed to discourage complaints about judges and give more rights to judges than defendants in criminal courts get. "No criminal who might lose their liberty or life is given these rights," said Cindy Gray, the society's director of judicial ethics.

In 2009, when Birmingham attorney Tom Wells was president of the American Bar Association, the association accepted an invitation from the Alabama Supreme Court to study Alabama's rules.

The ABA's Standing Committee on Professional Discipline recommended undoing several of the 2001 rule changes, including notification of the complainant and providing evidence while the investigation is in progress.

It found that telling a judge who filed a complaint "has a chilling effect on those who may want to file a complaint against a judge." The committee noted that complaints dropped significantly after the 2001 rule change that required a person's identity to be disclosed – from 279 in 2000 to 159 in 2009. ... ■

Mississippi Increases Employee Contributions

Facing a \$90 million budget shortage for its pension program, the Mississippi Legislature passed a bill to place the burden on education and state employees.

Currently, Mississippi employees contribute 7.25% while the state contributes 12%. Effective July 1, the contribution rate for employees will increase to 9.00% and 13.56% for the state. This amounts to a 1.75% pay cut to employees.

Alabama teachers and state employees contribute 5% of salary for retirement, while the state contributes 12.51% for education employees and 11.94% for state employees. ■

Editorial: *Birmingham News*

Alabamians pay the nation's lowest state and local taxes per person, according to the U.S. Census Bureau. Yet Alabama families at the poverty level pay the nation's highest income tax bill, according to a yearly report issued by the Center on Budget and Policy Priorities, a nonprofit research group in Washington, D.C.

How can that be? Kimble Forrister, executive director of the Arise Citizens' Policy Project, explains: "Alabama may be called a 'low-tax state,' but our taxes aren't low for everyone. Low- and middle-income Alabamians struggle to make ends meet, but compared to others across the country, they pay a high sales tax on groceries, and they pay twice as large a share of their incomes in state and local taxes as the top 1 percent of earners do. Alabama's tax system is upside down and out of step with our neighbors."

Let's start with some data from the CBPP report. The five states that collect the highest state income taxes from a

two-parent family of four at the federal poverty line (\$21,947) are: Georgia, in fifth place, at \$218 a year; Montana and Iowa, tied for third, at \$225 a year; No. 2 Hawaii, at \$266 a year; and No. 1 Alabama, at an astounding \$468 a year. That's 76 percent more than the second-highest state.

It's not much better in Alabama for a single-parent family of three at the poverty line (\$17,102). That family must pay \$333 a year in state income taxes, which ranks Alabama No. 1. That's 58 percent higher than No. 2 Hawaii's \$211 a year.

Plus, as Forrister noted, Alabamians pay high sales taxes on groceries compared to people in other states. Alabama is one of just two states (the other is Mississippi) that tax the full amount on food. Other states exempt food, charge a reduced amount or offer tax credits to poor families.

... The high state income tax and full sales tax on food help explain why poor

families fare so, well, poorly in Alabama. Families with incomes in the lowest 20 percent (with an average income of \$10,400 a year) pay 10.2 percent of their incomes in state and local taxes, according to the Institute on Taxation and Economic Policy. Yet, those in the top 1 percent of incomes (with an average income of \$1.2 million) pay just 4 percent of their incomes in state and local taxes after the federal deduction. Alabama, Iowa and Louisiana are the only states that grant the federal deduction in full.

... Over the years, the Legislature has carved out loopholes and exemptions for special interests in tax law and the state constitution that shelter much of the state's wealth from being taxed and skew the tax system to favor the wealthy over the poor. It's no wonder so many Alabamians can't believe the state has the nation's lowest tax burden, because for them, it doesn't. ... ■

ENJOY YOUR SUMMER
A Special Deal
FOR RSA MEMBERS

**The Battle House,
A Renaissance Hotel – Mobile – \$99**
• June 6 • July 4, 10–11, 31
• August 1, 7–8, 15, 19–21, 26

**The Renaissance Riverview Plaza –
Mobile – \$89**
• June 6 • July 4, 10–11, 31
• August 1, 8, 15, 19–21, 26

Marriott Grand – \$99 plus a 15% resort fee
• June 1–2, 16–17, 20, 24 • July 5–8, 14, 20–22, 25
• August 4–5, 22–30

Marriott Grand – RSA Golf Package – \$169
Ask for code – LOCD
Includes: Deluxe Room, One Round of Golf for Two People.
Call for Tee Times after booking package
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• August 4–5, 22–30

Marriott Shoals – Florence – \$89
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• August 1–3, 8–10, 22–26

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• August 8–9, 15, 22–24, 30–31

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• August 1–5, 8–16, 18–19, 22–26, 29

Prattville Marriott – \$89
• June 1–3, 6–8, 13–14, 16–17, 20–21, 23–24, 27–30
• July 1–8, 11–25, 30–31
• August 1–3, 7–12, 14–16, 22–24, 26–28

Renaissance Montgomery – \$99
• June 20, 27, 30 • July 1–11, 15–18
• August 1, 12–13, 22–23, 27–28

RSA Spa Package – \$159
Ask for code – LOCD Includes Deluxe Room
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and are not applicable to groups.*

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Hank Williams Boyhood Home/Museum

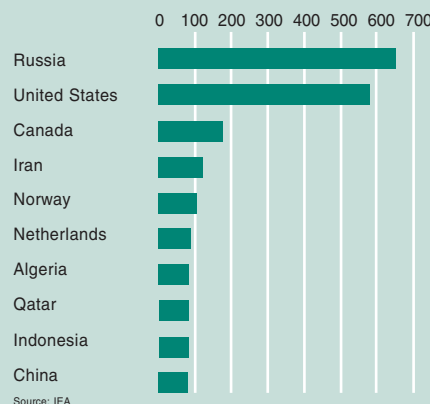
The city of Georgiana purchased the Hank Williams Boyhood Home in 1992 and opened it as a museum. Photos, autographed Grand Ole Opry programs, original studio pictures, and other Hank memorabilia fill this turn of the 20th century home. A portion of Thigpen's Log Cabin dance hall where Hank & the Drifting Cowboys played for years has been relocated here. The Hank Williams Festival is held on the grounds on June 11 and 12.

Montgomery is home to the Hank Williams Museum at 118 Commerce Street. It is open daily and has many of Hank's personal items including his stage costumes designed by Nudie's of Hollywood and the Cadillac in which Hank died on January 1, 1953.

Additional information can be found on these web sites: www.hankmuseum.com and www.thehankwilliamsmuseum.com. ■

A LEADER UNDER PRESSURE

Top ten natural-gas producers, 2008
Bn cubic metres



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